

REMARKS

In the Office Action dated October 6, 2004, the response time to which has been extended by one month from January 6, 2005 to February 7, 2005 (February 6, 2005 falling on a Sunday) a new Declaration has been required. Claim 4 is rejected under 35 U.S.C. §112, second paragraph. Claims 1-3, 5, 6, 13, 18-20, and 26 are rejected under 35 U.S.C. §102(b). Claims 7, 8, 11, 14, 16, 17, 21, 23, and 24 are rejected under 35 U.S.C. §103(a). Claims 10, 12, 15, 22, and 25 are objected to, but indicated as being allowable if rewritten in independent form.

For the reasons set forth herein, it is respectfully submitted that the pending claims include features which are not anticipated or rendered obvious by the cited references. Reconsideration is, therefore, respectfully requested.

Applicants' attorney would like to thank Patent Examiners Faulk and Isen for their time and courtesies extended during a recent personal interview conducted on this application. Amendments to the claims pertaining to the placement of the antenna in the cable connecting the present apparatus to an audio signal source were discussed. The Examiner indicated that this feature was not shown in the cited references, but she reserved the right to conduct an expanded search.

The Examiner has required a new Declaration on the grounds that the originally filed Declaration is defective since it does not include the signatures of the inventors and the date.

However, it is respectfully submitted that a properly executed Declaration was submitted on December 27, 2001. A copy of the Declaration submitted on December 27, 2001 and containing the inventors signatures and dates is attached. Withdrawal of the new Declaration requirement is respectfully requested.

Claim 4 is rejected under 35 U.S.C. §112, second paragraph. By this Communication, claim 4 has been cancelled thereby rendering this rejection moot.

Claims 1-3, 5, 6, 13, 18-20, and 26 are rejected under 35 U.S.C. §102(b) as being anticipated by McGreevy. The Examiner contends that McGreevy

discloses all of the features of Applicants' invention as set forth in the enumerated claims.

However, McGreevy fails to teach or suggest an antenna conductor coupled to a transmitter in the housing and disposed in the same cable which carries the audio signal carrying conductors connectable to the audio signal source as set forth by the Applicants' in claims 1, 13, 18, and 26, and the claims depending respectively therefrom. For this reason, it is respectfully submitted that Applicants' invention as set forth in claims 1, 2, 5, 6, 13, 18-20, and 26 patentably defines over McGreevy and is not anticipated thereby.

Claim 7 is rejected under 35 U.S.C. § 103(a) as being unpatentable over McGreevy in view of Bauer. The Examiner cites Bauer for disclosing a cable carrying first and second stereo channel signal conductors connected at one end to a stereo encoder and at the other end to a connector.

However, Bauer as well as McGreevy fails to disclose an antenna conductor coupled to a transmitter in a housing and disposed in the same cable which carries the first and second stereo channel signal conductors. Thus, it is respectfully submitted that the Examiner has not established a *prima facie* case of obviousness to support a rejection of Applicants' invention as defined in original claim 7 in view of the proposed combination of McGreevy and Bauer. The subject matter of claim 7 has been incorporated into claim 1. Thus, it is submitted that Applicants' invention as set forth in claim 1 patentably defines over any permissible combination of McGreevy and Bauer.

Claims 8, 11, 14, 16, 17, 21, 23, and 24 are rejected under 35 U.S.C. §103(a) as being unpatentable over McGreevy in view of Bauer in further view of Schwab. Applicants' disagree with the Examiner's statement that Schwab teaches a multi-conductor cable carrying an antenna wire. As stated in column 2, lines 33-37 of Schwab, the accessory plug-transmitter module 12 is plugged into the headphone jack of a conventional receiver/amplifier by a multi-conductor phono-plug 36 integrally

carried on the transmitter module. A wire antenna 36 is also provided and, as shown in the drawing, extends out of an opposite end of the transmitter module.

Schwab is devoid of any teaching or suggestion of first, placing the antenna wire in the rigid, one piece phono-jack, and, second, of placing the stereo channel conductors and the antenna wire in a single cable which is used to connect the stereo channel conductors to the audio signal source.

Since Schwab is devoid of these features, it is respectfully submitted that the Examiner has not established a *prima facie* case of obviousness to support a rejection of Applicants' invention as set forth in the enumerated claims. Thus, it is submitted that Applicants' invention as set forth in claims 8, 11, 14, 16, 17, 21, 23, and 24 patentably defines over the cited references, taken in any permissible combination.

Claims 10, 12, 15, 22, and 25 have been amended to independent form to include all limitations of the original base claims and any original intervening claims. Thus, claims 10, 12, 15, 22, and 25 are submitted to be in condition for allowance as the Examiner had previously indicated.

New claim 27 has been added to claim the features of Applicants' invention as set forth in original claim 10, but without all of the features of the respective intervening claims. It is respectfully submitted that new claim 27 is likewise in allowable condition and patentably defines over the cited references for the same reasons that the Examiner has allowed claim 10.

Applicants submit a Supplemental Information Disclosure Statement formally citing some of the references presented by the Examiner during the recent interview which the Examiner obtained from Internet websites. Applicants have expanded on this art and have submitted a factual basis which establishes when such devices were introduced to the public.

In conclusion, for the reasons set forth above, it is respectfully submitted that Applicants' invention as set forth in the pending claims includes features which are not anticipated or rendered obvious by the cited references, taken

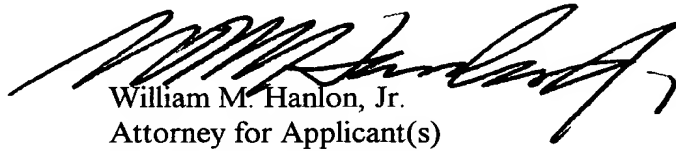
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singly or in any permissible combination. Accordingly, it is respectfully submitted that the claims are in condition for allowance; a Notice of which is respectfully requested.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'William M. Hanlon, Jr.', is written over the typed name.

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